



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: October 3, 2002 Signature: _____

(Kimberly V. Perry)

RECEIVED

OCT 15 2002

TECHNOLOGY CENTER R3700

Docket No.: SPINE 3.0-2153 CIP DIV
(PATENT)

3732
#486
11-52

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Yuan et al.

Application No.: 10/091,708

Group Art Unit: 3732

Filed: March 6, 2002

Examiner: Not Yet Assigned

For: DEVICE FOR SECURING SPINAL RODS

Commissioner for Patents

Washington, DC 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

It is respectfully requested that the enclosed International Search Report and Written Opinion be made of record and considered with respect to the above-referenced U.S. patent application. A copy of the references cited in the report and the opinion are already of record in this application. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material. Submission of the present Information Disclosure Statement should not be taken as an admission that the arguments in the report and opinion are pertinent, material, or correct.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: October 3, 2002

Respectfully submitted,

By _____

Kimberly V. Perry

Registration No.: 43,612

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP

600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorneys for Applicant

RECEIVED

OCT 15 2002

TECHNOLOGY CENTER R3700

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office: U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.



Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/091,708
				Filing Date	March 6, 2002
				First Named Inventor	Hansen Yuan
				Art Unit	3732
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	SPINE 3.0-2153 CIP DIV

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	5,257,993	02-11-1993	Asher et al.	
	AB	5,562,663	10-08-1996	Wisnewski et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	WO 0019923	04-13-2000	Surgical Dynamics		
	BB	WO 9965415	12-23-1999	Surgical Dynamics		
	BC	DE 9403231	04-21-1994	Aesculap		

¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	International Search Report, PCT/US 00/08542	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.